

**Supporting Statement for Information Collection Submission
3090-0252, Preparation, Submission, and Negotiation of Subcontracting Plans**

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The requirements of provision 552.219-72 are an extension to the existing FAR policy for subcontracting plan submissions. In August 1994 GSAM Part 19 was amended to include the information collection of the provision 552.219-72, "Preparation, Submission, and Negotiation of Subcontracting Plans" to require for all negotiated solicitations, having an anticipated award value over \$650,000 (\$1,500,000 for construction), the submission of a subcontracting plan with an offeror's proposal.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The contract specialist uses the information to conduct meaningful discussions/negotiations concerning the goals proposed in the plan. The evaluation and negotiation of the goals are necessary to ensure that the mandatory statutes implemented in the FAR are met. The consequences of not collecting this information reduce the ability to obtain reasonable subcontracting objectives and adversely affects the timeliness and cost of the acquisition. Higher goals should not be negotiated if they will significantly increase the Government's cost (FAR 19.705-4(c)).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

We use improved information technology to the maximum extent practicable. Where both the General Services Administration and contractors are capable of electronic interchange, the contractors may submit information requirements electronically. The main collection portal for subcontracting plan information is retained in the Electronic Subcontracting Reporting System (eSRS) per FAR 19.7. See eSRS.gov

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The nature of this requirement is such that it is authorized by statute and is not authorized for duplication. The eSRS system is recognized by all federal agencies. No duplicative system is in place.

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5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Small business concerns are exempted from the subcontracting plan requirement.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The collection is authorized by statute. The consequences of not collecting this information is non-compliance with the statute.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner requiring respondents to:

- **Report information to the agency more often than quarterly;**
- **Prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Submit more than an original and 2 copies of any document;**
- **Retain records, other than health, medical, government contracts, grant-in-aid, or tax records, for more than 3 years;**
- **In connection with a statistical survey, that is not designed to produce valid, reliable results that can be generalized to the universe of study;**
- **Require the use of a statistical classification that has not been reviewed and approved by OMB;**
- **Include a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Collection is consistent with the guidelines in 5 CFR 1320.6.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from

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whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A 60-day notice was published in the *Federal Register* at 80 FR 27308 on May 13, 2015. No comments were received. A 30-day notice published in the *Federal Register* at 80 FR 46584 on August 5, 2015. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

This information is disclosed only to the extent consistent with agency regulations and applicable statutes.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No sensitive questions are involved.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

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Annual Reporting Burden

Estimated respondents per year.....	1,440
Responses annually per respondent.....	<u>x 1</u>
Total responses.....	1,440
Estimated hours per response.....	<u>x 12</u>
Estimated total burden hours.....	17,280
Cost per hour.....	<u>x \$23.02</u>
Estimated Burden to the Public.....	\$397,786

On a yearly basis GSA contracting activities issue approximately 240 negotiated solicitations that are not set-aside for small businesses and may require a subcontracting plan. Based on an estimate of 6 other than small business respondents per solicitation, the number of subcontracting plans is estimated to be 1,440.

The estimated cost of \$23.02 per hour is based on the equivalent of a GS-9, Step 5 salary (Salary Table 2015-GS, Effective January 2015). The cost per response is estimated at \$276.24.

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

Not applicable. See response to Item 12, above.

14. Provide estimates of annualized costs to the Federal Government. Also, provide a description of the method used to estimate cost, which should include qualification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

These subcontracting plans must be negotiated by contracting personnel and reviewed and approved by the Small Business Technical Advisor and the Small Business Administration Procurement Center Representative.

Estimated responses per year.....	1,440
Review time per response.....	<u>x 7</u>
Total review time.....	10,080
Cost per hour.....	<u>x \$23.02</u>
Total Government Cost.....	\$232,042

The estimated cost of \$23.02 per hour is based on the equivalent of a GS-9, Step 5 salary (Salary Table 2015-GS, Effective January 2015).

15. Explain the reasons for any program changes or adjustments reported.

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GSA based the estimated burden of the collection of information on information obtained from subject matter experts familiar with subcontracting plans in the Office of Small Business Utilization. The burden addressed in this information collection requirement is the burden of developing, preparing, and submitting the required information. The number of offerors estimated to be affected has increased significantly since the last information collection renewal.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Results of this collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act Submissions”.

Not applicable.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.